

# COMMITTEE AMENDMENT FORM

DATE: 06/15/11

COMMITTEE ZONING

PAGE NUM(S)   

ORDINANCE I. D. #11-O-0244

SECTION (S)   

RESOLUTION I. D. #11-R-

PARA.

AMENDS THE LEGISLATION BY ADDING ONE (1) CONDITION  
DEALING WITH THE APPROVAL OF THE FINAL DESIGN AND SITE  
PLAN BY THE URBAN DESIGN COMMISSION.

**11-O-0244**

AN ORDINANCE  
COUNCILMEMBER ALEX WAN  
AS AMENDED BY: ZONING COMMITTEE

**U-11-08**

**GRANTING A SPECIAL USE PERMIT FOR A PARK PURSUANT TO SECTION 16-06.005 (1) (K) FOR PROPERTY LOCATED AT 1076 AND 1082 SAINT CHARLES PLACE, N.E. FRONTING APPROXIMATELY 130 FEET ON THE NORTH SIDE OF SAINT CHARLES PLACE AND 128 FEET ON THE EAST SIDE OF NORTH HIGHLAND AVENUE AT THE INTERSECTION OF SAINT CHARLES PLACE AND NORTH HIGHLAND AVENUE; AND FOR OTHER PURPOSES.**

**DEPTH: 128 FEET**

**AREA: 0.41 ACRE**

**LAND LOT: 16 OF THE 14<sup>TH</sup> DISTRICT OF FULTON COUNTY, GEORGIA**

**OWNER: VIRGINIA HIGHLAND CIVIC ASSOCIATION, INC.**

**APPLICANT: VIRGINIA HIGHLAND CIVIC ASSOCIATION, INC.**

**NPU-F**

**COUNCIL DISTRICT: 6**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Section 16-06.005 (1) (k) of the Zoning Ordinance of the City of Atlanta, a special use permit for a **PARK**, is hereby approved. Said use is granted to **VIRGINIA HIGHLAND CIVIC ASSOCIATION, INC.**, to be located at **1076 AND 1082 SAINT CHARLES PLACE, N.E.** to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 16, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**Conditions for U-11-08 for 1076 and 1082 St. Charles Place, N.E.**

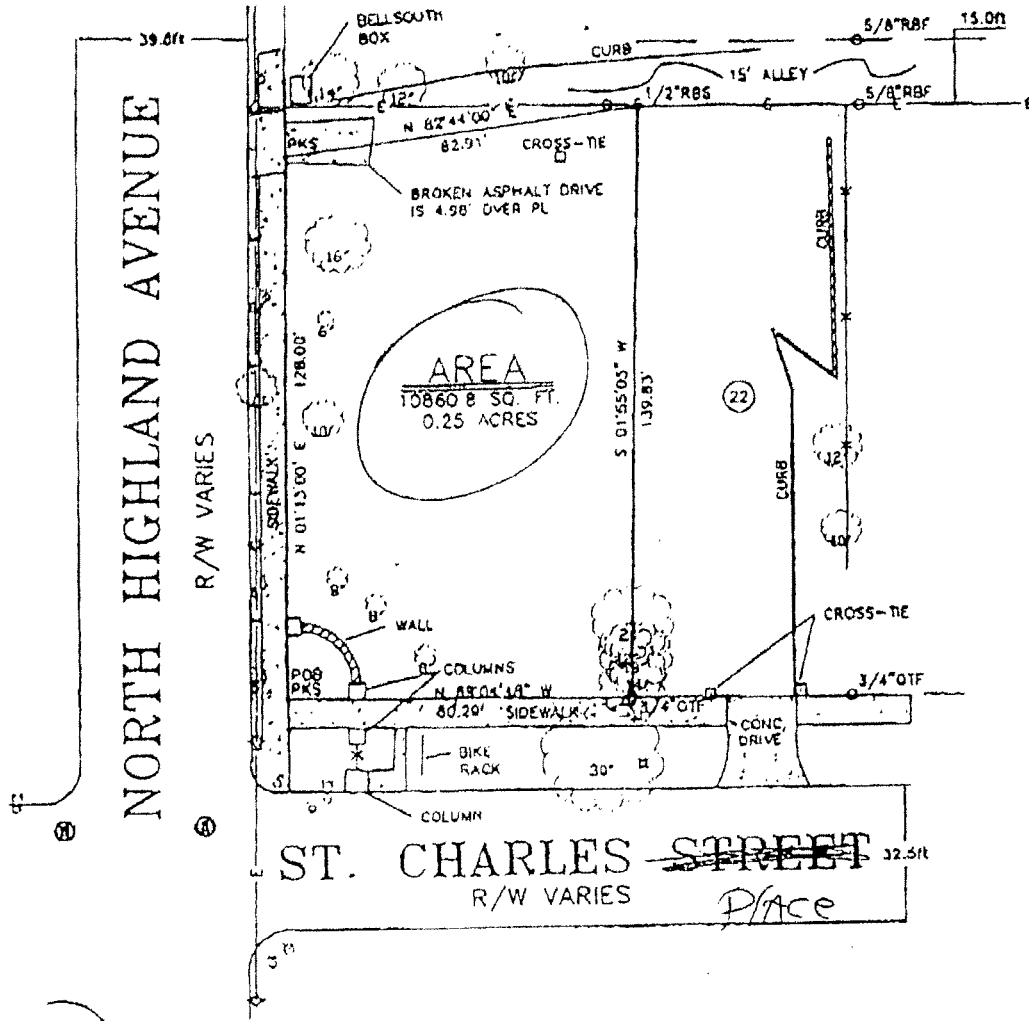
1. The final design and site plan shall be approved by the Urban Design Commission.

## EXHIBIT A

All that tract or parcel of land lying and being in land lot 16, 14<sup>th</sup> district, Fulton County, Georgia, being Lots 21 and 22, Block 2, Atkins Park and being more particularly described as follows:

Beginning at a PK nail set on the northern side of St. Charles Place at its northeast intersection with North Highland Avenue; running thence along the easterly right of way of North Highland Avenue north 01 degrees 13 minutes 00 seconds east a distance of 128.00 feet to a PK nail set; running thence north 82 degrees 44 minutes 00 seconds east a distance of 82.91 feet to a 1/2 inch rebar set; running thence south 89 degrees 11 minutes 14 seconds east a distance of 51.10 feet to a 5/8 inch rebar found; running thence south 02 degrees 00 minutes 00 seconds west a distance of 140.21 feet to a 3/4 inch open top pipe found on the northerly right of way of St. Charles Place; running thence north 88 degrees 45 minutes 26 seconds west a distance of 50.90 feet to a 3/4 inch open top pipe found; continuing along the northerly right of way of St. Charles Place north 89 degrees 04 minutes 48 seconds west a distance of 80.29 feet to the point of beginning, according to surveys prepared by Georgia Land Surveying Co., Inc., Josh L. Lewis, III, registered land surveyor (RLS no. 1751), dated 11/29/2004, bearing job # 181859 and 181860, being known as 1076 and 1082 St. Charles Place, according to the present system of numbering in the City of Atlanta, Fulton County, Georgia.

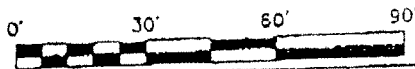
The above described property being a combination of the property conveyed at deed book 41356, page 33 and deed book 41416, page 481, Fulton County, Georgia, records.



- REFERENCES:
1. PLAT BOOK 5, PAGE 172-173
  2. DEED BOOK 36533, PAGE 323
  3. DEED BOOK 30002, PAGE 395

I HAVE THIS DATE, EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS, WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO ITS OPINION FOR SAID PARCEL.

MAP ID 13121C0265 E EFFECTIVE DATE: JUNE 22, 1988



PLAT PREPARED FOR: 1076 ST. CHARLES STREET			DATE: 11/29/04	GA. LAND SURVEYING CO., INC.	LAND SURVEYING ~ LAND PLANNING	165 CLYWOOD DRIVE	ATLANTA, GEORGIA 30328	PHONE (404) 255-4671	FAX (404) 255-8807
JOSEPH LASTER			SCALE: 1" = 30'						
LOT 18	14TH DISTRICT	SOUTHWEST	FULTON COUNTY, GEORGIA						
LOT 21	BLOCK 2	UNIT	PARTY CHIEF: TE						
ATLANTA PARK			NO. 574		MAY 9, 2006 - 3:38 PM				

EXHIBIT C



AN ORDINANCE BY  
COUNCILMEMBER ALEX WAN



11-○-0244  
U-11-08

**GRANTING A SPECIAL USE PERMIT FOR A PARK  
PURSUANT TO SECTION 16-06.005(1)(k) FOR  
PROPERTY LOCATED AT 1076 AND 1082 SAINT  
CHARLES PLACE, NE, FRONTING  
APPROXIMATELY 130. FEET ON THE NORTH  
SIDE OF SAINT CHARLES PLACE AND 128 FEET  
ON THE EAST SIDE OF NORTH HIGHLAND  
AVENUE AT THE INTERSECTION OF SAINT  
CHARLES PLACE AND NORTH HIGHLAND  
AVENUE ; AND FOR OTHER PURPOSES.**

Depth: 128 Feet

Area: 0.41 Acre

Land Lot: 16 of the 14<sup>th</sup> District, Fulton County,  
Georgia

Owner: Virginia-Highland Civic Association, Inc.

Applicant: Virginia-Highland Civic Association, Inc.

NPU- F Council District 6

**NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
ATLANTA, GEORGIA as follows:**

**SECTION 1:** Under the provisions of Section 16-06.005(1)(k) of the Zoning Ordinance of the City Atlanta, a Special Use Permit for a **PARK** is hereby granted. Said use is granted to **Virginia-Highland Civic Association, Inc.** and is to be located at 1076 and 1082 Saint Charles Place, NE, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 16 of the 14<sup>th</sup> District, Fulton County, Georgia being Lots 21 and 22, Block 2, Atkins Park and more particularly described by the attached legal description.

**SECTION 2:** If this amendment is approved under the provision of section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulations variances can be approved only by application to the Board of Zoning Adjustment.

**SECTION 3:** That all ordinances and parts of ordinances in conflict herewith be and the same are hereby repealed.

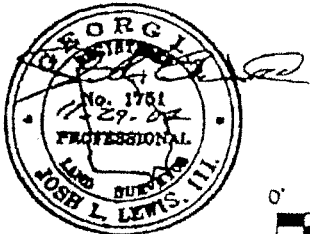
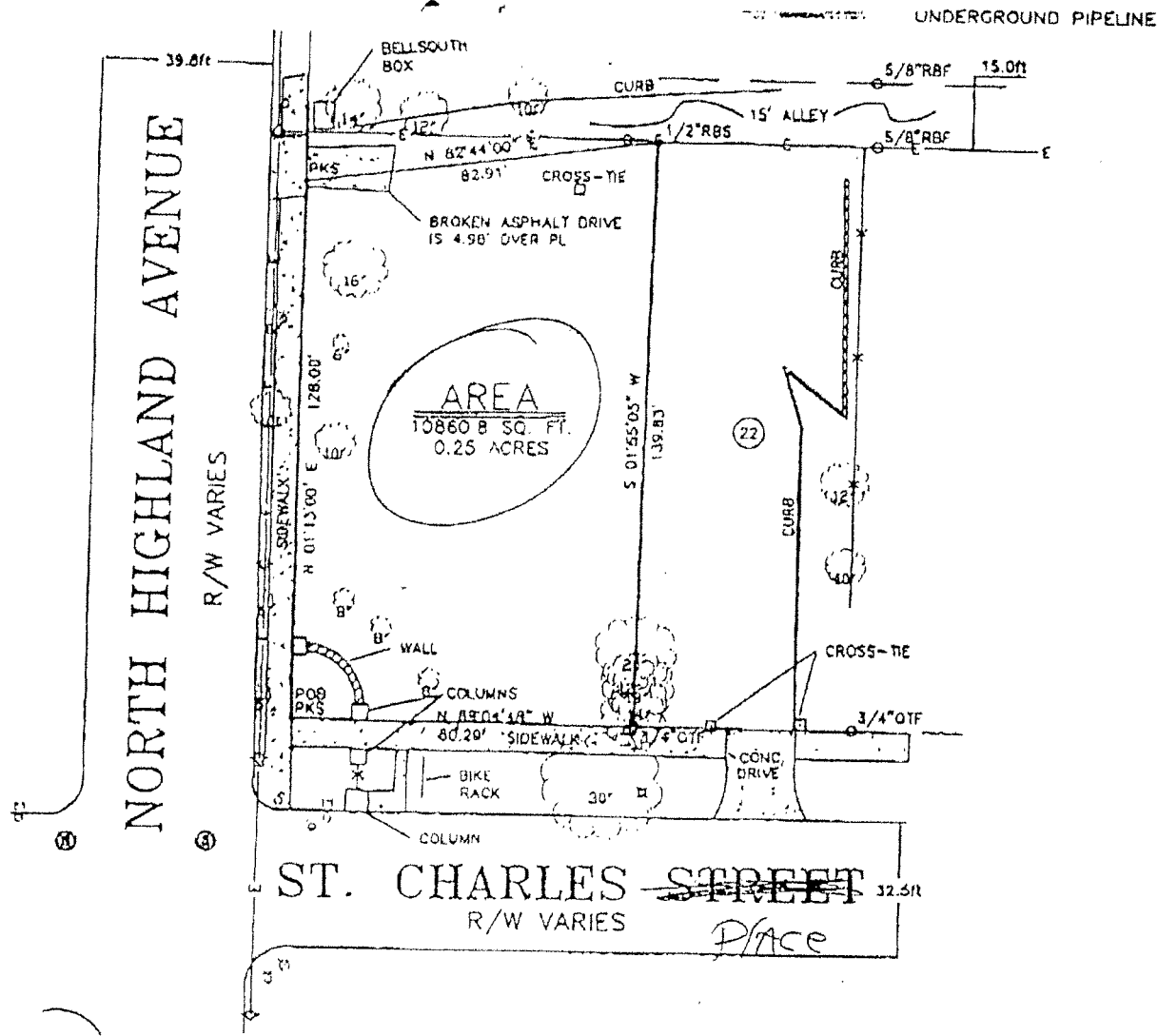
## EXHIBIT A

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The above described property being a combination of the property conveyed at deed book 41356, page 33 and deed book 41416, page 481, Fulton County, Georgia, records.





- REFERENCES:
1. PLAT BOOK 5, PAGE 172-173
  2. DEED BOOK 38533, PAGE 323
  3. DEED BOOK 30099, PAGE 395

I HAVE, THIS DATE, EXAMINED THE "FIRM OFFICIAL FLOOD HAZARD MAP" AND FOUND IN MY OPINION REFERENCED PARCEL (AND (IS NOT) IN AN AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION CERTIFICATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE ITS OPINION FOR SAID PARCEL.

MAP ID: 13121CD265 E EFFECTIVE DATE: JUNE 22, 1988



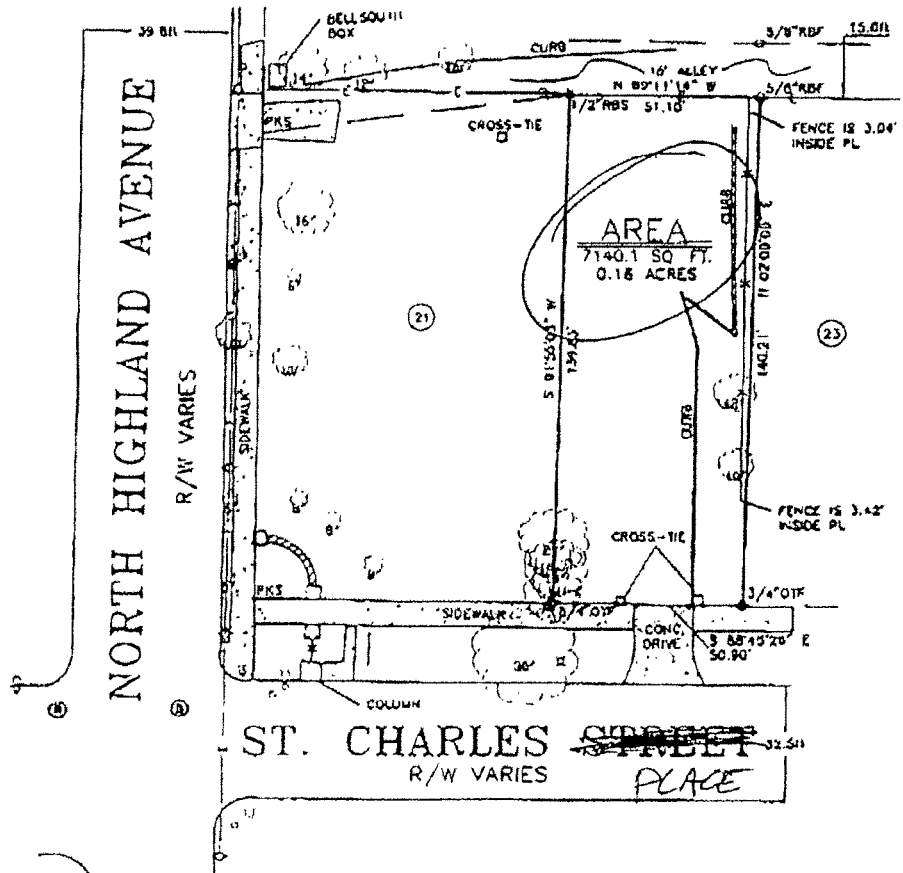
SHEET 1 OF 1 JOB NO. 181853	PLAT PREPARED FOR: 1076 ST. CHARLES STREET		DATE: 11/29/04	GA. LAND SURVEYING CO., INC. LAND SURVEYING ~ LAND PLANNING 165 CLYWOOD DRIVE ATLANTA, GEORGIA 30320 PHONE (404) 255-4671 FAX (404) 255-6807	
	JOSEPH LASTER		SCALE: 1" = 30'		
	LAND LOT 16	14TH DISTRICT	SECTION		FULTON COUNTY, GEORGIA
	LOT 21	BLOCK 2	UNIT		PARTY CHIEF: TE
SUBMISSION AT: PARK NO. 574					

EXHIBIT C

MAY 9, 2006 - 3:38 PM



- 1/2 REBAR SET
- IRON PIN FOUND
- CATCH BASIN
- DRAIN
- FIRE HYDRANT
- GUY WIRE
- LIGHT POLE
- MANHOLE
- POWER POLE
- COMMUNICATION MANHOLE
- SEWER
- ELECTRIC
- FENCE
- UNDERGROUND PIPELINE



REFERENCES

1. PLAT BOOK S, PAGE 172-173
2. DEED BOOK 36513, PAGE 323
3. DEED BOOK 30939, PAGE 380

I HAVE THIS DATE, EXAMINED THE TOWN OFFICIAL FLOOD HAZARD MAP AND FOUND IN MY OPINION REFERENCED PARCEL DOES NOT IN MY AREA HAVING SPECIAL FLOOD HAZARDS. WITHOUT AN ELEVATION DETERMINATION SURVEYOR IS NOT RESPONSIBLE FOR ANY DAMAGE DUE TO THE OPINION FOR SAID PARCEL.

MAP NO. 13121G0265 E EFFECTIVE DATE, JUNE 22, 1998

PLAT PREPARED FOR 1082 ST. CHARLES STREET		DATE 11/29/04	GA. LAND SURVEYING CO., INC.	LAND SURVEYING - LAND PLANNING	133 CLIFWOOD DRIVE	ATLANTA, GEORGIA 30324	PHONE (404) 255-4871	FAX (404) 255-6607
JOSEPH LASTER		SCALE 1" = 30'						
LAND LOT 16	14TH DISTRICT	SECTION	PULYON COUNTY, GEORGIA					
LOT 22	Block 2	UNIT						
ATKINS ROAD			PARTY ONLY: FE					
NO. 574-P. 2								

EXHIBIT C

1000  
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